IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.676 OF 2006

Achal Automobiles Pvt.Ltd. ...Petitioner

Versus

The Solapur Municipal Corporation ...Respondent

WITH

WRIT PETITION NO.677 OF 2006

Achal Automobiles Pvt.Ltd. ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

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Mr.V.Tulzapurkar, Sr.Counsel with Mr.Avinash A. Valsangkar and Mr.Pankaj J.Das for Petitioner.

Mr.V.B.Naik with Mr.Nitin Jamdar for Respondents.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 23, 2006.

P.C.

1. Heard Counsel for the parties. After hearing Counsel for the parties, I felt prima facie

case was made out for entertaining the Petitions filed before this Court. However, it was suggested to the Counsel appearing for the parties that instead of keeping the matter pending in this Court at interlocutory stage, it will be in the interest of both parties that the main proceedings are disposed of expeditiously so as to bring quietus to all the disputes raised in the present proceedings. On that suggestion, Counsel appearing for the parties, on instructions, stated that in that case, the Court may not record detailed reasons and instead, dispose of both the Petitions by directing the Trial Court to decide the pending Suits as expeditiously as possible, keeping all questions open to be decided afresh in accordance with law.

2. Accordingly, both these Petitions are disposed of keeping all questions open. However, as is agreed between the parties and on the oral assurance given by the Petitioner through Counsel that no third party rights will be created in respect of the disputed property and that the possession of the suit structure will be maintained as of today till the disposal of the Suit. That

assurance is accepted.

3. Accordingly, these Petitions are disposed of by directing the Trial Court to decide the Suits expeditiously, preferably by the end of December 2006. Both parties assure before this Court that necessary co-operation will be extended to the Trial Court for early disposal of the Suits and no request for adjournment on any count will be sought on the specified date given for hearing of the Suits. Even that assurance is accepted.

4. The parties shall maintain status-quo as of today with regard to the suit property till the disposal of the Suit. The Petitioner shall not create any third party rights in suit property till final disposal of the Suits or such other orders passed by the Trial Court or this Court, if situation so warrants.

5. On the request made by Mr.Tulzapurkar, it is further clarified that the order of status-quo also means that Respondents shall not precipitate the matter in respect of the suit structure till

the disposal of the Suits.

6. It is once again made clear that the Trial Court shall decide the main proceedings on its own merits in accordance with law uninfluenced by any of the observations made in the impugned decisions or for that matter, the present order.

7. Petitions disposed of on the above terms.

A.M.KHANWILKAR, J.